

STATE OF ILLINOIS)
) SS.
COUNTY OF C O O K)

IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT-CRIMINAL DIVISION

THE PEOPLE OF THE)
STATE OF ILLINOIS,)
Plaintiff,) No. 91-25414
)
vs.) Charge: Murder
)
JESSE CLEMON,)
TREMAINE GREEN,)
CLINTON WELTON,)
Defendants.)

REPORT OF PROCEEDINGS of the hearing before
the Honorable EARL E. STRAYHORN, on the 14th day of
September, 1992.

APPEARANCES:

MS. KAY HANLON & MS. LUANN RODI,
Assistant State's Attorneys,
for the People of the State of Illinois.

MR. FRED WELLISCH,
Assistant Public Defender,
for the Defendant Clemon.

MR. DANIEL NOLAN,
Assistant Public Defender,
for the Defendant Green.

MR. CHARLES EVANS,
for the Defendant Welton.

Christina F. Basis, CSR
Official Court Reporter
2650 South California Avenue, Room 4C02
Chicago, Illinois 60608

C.R.#193591
A.H.#160

1 IAMARI CLEMON,
2 called as a witness on behalf of the Defendant, having
3 been first duly sworn, was examined and testified as
4 follows:

5 DIRECT EXAMINATION

6 BY MR. WELLISCH:

7 Q Would you speak up and tell Judge Strayhorn
8 your name please?

9 A Iamari Clemon.

10 Q Would you spell your first name please?

11 A I-a-m-a-r-i.

12 Q How old are you, Iamari?

13 A seventeen.

14 Q You are the brother of Jesse Clemon?

15 A Yeah.

16 Q Your mother, Sandra Clemon, is sitting out
17 there in back of me?

18 A Yeah.

19 Q Iamari, you were brought up from the Joliet
20 Juvenile Facility, right?

21 A Yeah.

22 Q Would you tell the judge what you are in
23 there for now?

24 A Aggravated battery, possession of marijuana.

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1 Q How much time did you get in that facility?

2 A Eleven months.

3 Q Were you arrested on the night of
4 September 25, early morning of September 26, 1991?

5 A Yeah.

6 Q Where were you arrested?

7 A At my house.

8 Q Where were you taken after you were arrested?

9 A 35th and Lowe.

10 Q Were you arrested with anyone besides -- Were
11 you alone or with someone else?

12 A With my other brother.

13 Q Your other brother's name is?

14 A Damoni Clemon.

15 Q Damoni Clemon, and he is one of the
16 defendants in this murder case?

17 A Yeah.

18 Q Jesse Clemon is another one of the
19 defendants?

20 A Yeah.

21 Q Were you ever charged with this murder?

22 A Uh-huh.

23 Q How long were you kept at area --

24 After 35th and Lowe, where did you go?

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1 A To homicide. I do not know the address
2 though.

3 Q Would that have been on California Avenue?

4 A Yeah.

5 Q How were you brought there?

6 A Handcuffed.

7 Q In a police car?

8 A Yeah.

9 Q With other people or by yourself?

10 A By my -- Me and another dude.

11 Q Do you remember what this other person's name
12 was?

13 A Myron.

14 Q Myron. Would that be Myron James?

15 A Yeah.

16 Q When you got to Area Three Homicide, what
17 floor did you go to?

18 A To the third floor.

19 Q Did you see your mother there that night by
20 any chance at Area Three?

21 A Uh-huh.

22 Q Had you seen her earlier that night?

23 A When I had left, yeah.

24 Q Where were you arrested, in your home?

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#160

1 A Yeah.

2 Q Your mother was there?

3 A Yeah.

4 Q You say when you went to Area Three you went
5 to the third floor. Where were you placed when you got
6 to the third floor?

7 A In the cage.

8 MR. WELLISCH: I have shown this diagram to
9 Miss Hanlon. I would like to have him come down and
10 demonstrate where he was and what he saw.

11 THE COURT: All right.

12 (Witness stepped down.)

13 BY MR. WELLISCH:

14 Q Would you point to the cage?

15 A Right here.

16 Q Where is that in relation to where you were
17 brought up, the staircase?

18 A The staircase right here.

19 Q You said you were brought up with Myron
20 James. Were you put into the cage immediately?

21 A Yes.

22 Q Was there anyone else in the cage when you
23 got there?

24 A Some more dudes. I don't know their names

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1 though.

2 Q Did you at some point that evening see Jesse,
3 your brother, being brought into Area Three?

4 A When he came in.

5 Q When you came in?

6 A When he came in, I saw him.

7 Q How long after you got there did he come in?

8 A About thirty minutes.

9 Q Where did they take Jesse when he got to
10 Area Three?

11 A To this room right here.

12 Q Indicating the room diagonally across from
13 the cage.

14 A Yeah.

15 Q Did they leave the door open, or did they
16 close the door?

17 A They had closed the door.

18 Q When he was first brought in, did anyone go
19 in there with him?

20 A Some police.

21 Q Were they in uniform or were they in
22 plainclothes?

23 A Some of them was in uniform and some of them
24 was in plainclothes.

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1 Q How many of them were in there?

2 A About three, two, something like that.

3 Q Can you describe the room for
4 Judge Strayhorn?

5 You said that the door was closed?

6 A Right here.

7 Q What did the outside of the room look like?
8 Were there windows or was there nothing?

9 A You can see a shadow. You can't -- You just
10 see shadows in there like people moving and stuff,
11 people falling on the floors.

12 Q Are you saying that there is a window on the
13 door of the room?

14 A Yeah.

15 Q Is there also another window in the room or
16 is it just the door window?

17 A Just a door window.

18 Q How many people were in the cage with you?

19 A About four.

20 Q Your other brother, Damoni Clemon, did you
21 see him arrive at Area Three?

22 A Yeah. He was --

23 Q When did he come?

24 A He was there before me.

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1 Q Can you tell the judge what room -- Did you
2 see him, where he was placed?

3 A This room right here.

4 Q That would be the office right next to the
5 stairway?

6 A Yeah.

7 Q Now you have stated that you saw some police
8 go into Jesse, your brother Jesse's room.

9 Did you see or hear anything when the police
10 were in the room?

11 A Yeah.

12 Q Would you tell the judge what it was?

13 A Hollering and stuff. He was hollering. He
14 was hollering.

15 Q Who was hollering?

16 A Jesse.

17 Q What did you hear him say?

18 A He was saying, I didn't do it. Hollering,
19 saying, I didn't do it.

20 Q Did you hear anything else?

21 A Beside him?

22 Q Right.

23 A Other hollering from other rooms.

24 Q What could you see? You said there was a

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1 window on the door. Was there anything that you could
2 see from the cage?

3 A Just shadows. That is all I could see is
4 shadows.

5 Q Shadows in Jesse's room?

6 A Yeah.

7 Q Could you tell what the shadows were doing?

8 A He was falling on the floor telling him, I
9 didn't do it, and they was hitting him. Man, he had a
10 knot on his eye.

11 Q How long did the police stay in that room?

12 A About an hour or so.

13 Q You say that you thought there were about
14 three officers?

15 A Yeah.

16 Q Did you see them come out at some point out
17 of the room?

18 A Yeah, to go into other rooms.

19 Q What other rooms?

20 A The rooms everybody else was in like my
21 buddy. They come out this room and go in that room, or
22 they will go in the rooms in the back.

23 Q When they went into rooms, into other rooms,
24 did you hear anything coming from those rooms?

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1 A Hollering.

2 Q Aside from the fact that you know that Jesse
3 Clemon was in that room across diagonally from the cage
4 and Damoni was in the room next to the stairway, do you
5 know what other rooms other people were in that night?

6 A They was in the back somewhere.

7 Q Were you at some point taken out of the cage?

8 A Yeah.

9 Q Why were you taken out of the cage?

10 A So they could question me.

11 Q Where were you taken?

12 A Into the room in the back.

13 Q Do you know exactly which room it was on this
14 diagram here?

15 A Yeah. We had one behind this door right
16 here, in this doorway. It is all the way back there.

17 Q How long were you questioned?

18 A For about -- for a while, about thirty, forty
19 minutes.

20 Q Were you beaten at all?

21 MS. HANLON: Objection, judge.

22 THE WITNESS: Yeah.

23 THE COURT: Overruled. That is part of his
24 theory.

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1 BY MR. WELLISCH:

2 Q How were you beaten?

3 A He was hitting me with his fist.

4 Q Was this a plainclothes officer or a uniform
5 officer?

6 A Uniform and plainclothes.

7 Q Did he say anything to you as he was beating
8 you?

9 A Like, what happened. I said, I don't know
10 what happened. You can't tell me what I don't know or
11 make me say what I don't know.

12 Q After you were placed in this room, were you
13 taken out of the room at some point and brought back to
14 the cage?

15 A Yeah.

16 Q In addition to being beaten in this room, did
17 anything else happen to you in this room?

18 A No. Not really. He was just beating me and
19 stuff.

20 Q Were you put in a lineup that evening?

21 A Yeah.

22 Q Can you point out were all the people taken
23 out of the cage for this lineup?

24 A Right here. They were sitting on this bench,

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1 and they had put the bench like this.

2 Q You are saying they took the bench that was
3 in front of Jesse's room?

4 A Yeah, and put it like that.

5 Q And placed it in the middle of an open area?

6 A Yeah.

7 Q How many people took place in that lineup?

8 A It was a lot of us, man.

9 Q Were some of the people in the lineup people
10 that had been in the cage with you?

11 A Yeah. There were some of them in the cage,
12 in the back room.

13 Q Was Jesse in that lineup?

14 A Yeah. One of them.

15 Q Was Damoni in that lineup?

16 A Yeah.

17 Q Did you have an opportunity to see Jesse and
18 the way he looked when he came out of the room?

19 A Yeah. When he came out to take pictures.

20 Q I'm sorry.

21 A When he came out to take a picture.

22 Q I am going to show you a couple of
23 photographs which I am showing Miss Hanlon now.

24 Your Honor, I am sorry I do not have track of

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1 my exhibits. I will mark it Petitioner's 1 and 2 at any
2 rate.

3 Iamari, you said that Jesse was in some of
4 the lineup, some of the photographs.

5 A Yeah.

6 Q Can you identify those pictures?

7 A It's the one when the guy came out they put a
8 knot on his eye.

9 Q So is that a picture -- is Petitioner's
10 Exhibit 1 a picture of Jesse and the lineup that he was
11 in?

12 A What you say, man?

13 Q Is that picture a picture of the lineup that
14 Jesse was in?

15 A Yeah. He was sitting right there, man.

16 Q We need to have this in the record.

17 What about this picture? Is that also a
18 picture of Jesse in the lineup?

19 A Yeah.

20 Q What is the difference between Number 1 and
21 Number 2 would you say?

22 A He got a knot. You can see the knot right
23 there on his eye, his eye and his forehead, right there.

24 Q What side of his face is the knot on, his

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1 right side or his left side of his face?

2 A I don't know, man. I seen the knot.

3 Q Let me give you this pen. If you would put a
4 little "X" where the knots are, two little "X's" on his
5 face where the knots are?

6 MR. WELLISCH: Indicating that he has put a
7 mark on Petitioner's 1 on the left cheekbone area and
8 Petitioner's 2, the right temple area. That is on Jesse
9 Clemon.

10 Q How long did this lineup take?

11 A When they took pictures?

12 Q Yes. The whole thing, pictures and the
13 lineup.

14 A About thirty, forty minutes, man.

15 Q You were able to see Jesse during that time?

16 A Yeah.

17 Q Did you notice anything else about him
18 besides the knots on his face?

19 That is a no?

20 A Uh-huh, no.

21 Q After the lineup was over, did you see where
22 they took Jesse?

23 A Back in the room.

24 Q Where were you taken?

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1 A Back in the cage.

2 Q After you were taken into the cage, did you
3 see any of the police go into Jesse's room again that
4 night?

5 A Yeah. They was going in all the rooms again,
6 man, except for the cage.

7 Q Except for the cage?

8 A Yeah.

9 Q About how many times would you say officers
10 went into Jesse's room?

11 A I cannot count them, man, a lot of times. I
12 can't count them.

13 Q When they went into his room the other times,
14 did you hear or see anything in the shadows?

15 A They was talking and they will leave out and
16 go in another room and talk, leave out and go into
17 another room and talk, and then they will go back in
18 there and beat them up, go back in there and beat them
19 up and beat them up, like that.

20 Q How long would you say altogether the police
21 were in Jesse's room, you know, that you said that they
22 went in several times? How long was that?

23 A I don't know, man.

24 Q You said they did not come to the cage?

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